



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
State Pollutant Discharge Elimination System (SPDES)
DISCHARGE PERMIT

First3.99

Industrial Code: **4952**
Discharge Class (CL): **05**
Toxic Class (TX): **T**
Major Drainage Basin: **13**
Sub Drainage Basin: **01**
Water Index Number: **H**
Compact Area:

SPDES Number: **NY 0087971**
DEC Number: **4-3832-00011/00001**
Effective Date (EDP): **12/01/2009**
Expiration Date (ExDP): **11/30/2014**
Modification Dates: **03/01/2010**

This SPDES permit is issued in compliance with Title 8 of Article 17 of the Environmental Conservation Law of New York State and in compliance with the Clean Water Act, as amended, (33 U.S.C. §1251 et.seq.)(hereinafter referred to as "the Act").

PERMITTEE NAME AND ADDRESS

Name: **Rensselaer County Sewer District #1**
Street: **1600 Seventh Avenue**
City: **Troy**

Attention: **Gerard S. Moscinski, P.E.**

State: **NY** Zip Code: **12180**

is authorized to discharge from the facility described below:

FACILITY NAME AND ADDRESS

Name: **Rensselaer County Sewer District #1 WWTP**
Location (C,T,V): **North Greenbush (T)**
Facility Address: **Foot of Water Street**
City: **Troy**

County: **Rensselaer**

State: **NY** Zip Code: **12180**

NYTM -E:

NYTM -N:

From Outfall No.: **001** at Latitude: **42 ° 40 ' 52 "** & Longitude: **73 ° 43 ' 00 "**

into receiving waters known as: **Hudson River** Class: **C**

and; (list other Outfalls, Receiving Waters & Water Classifications)

in accordance with: effluent limitations; monitoring and reporting requirements; other provisions and conditions set forth in this permit; and 6 NYCRR Part 750-1.2(a) and 750-2.

DISCHARGE MONITORING REPORT (DMR) MAILING ADDRESS

Mailing Name: **Rensselaer County Sewer District #1**
Street: **1600 Seventh Avenue**
City: **Troy**
Responsible Official or Agent: **Gerard S. Moscinski, P.E.**

State: **NY** Zip Code: **12180**
Phone: **(518) 283-2235**

This permit and the authorization to discharge shall expire on midnight of the expiration date shown above and the permittee shall not discharge after the expiration date unless this permit has been renewed, or extended pursuant to law. To be authorized to discharge beyond the expiration date, the permittee shall apply for permit renewal not less than 180 days prior to the expiration date shown above.

DISTRIBUTION:

BWP Permit Coordinator
RWE/RPA
EPA Region II - Michelle Josilo
EFC
Co. DOH

Permit Administrator: William R. Adriance	
Address: Division of Environmental Permits 625 Broadway Albany, NY 12233-1750	
Signature: <i>William R. Adriance</i>	Date: 2/10/10

PERMIT LIMITS, LEVELS AND MONITORING DEFINITIONS

OUTFALL	WASTEWATER TYPE		RECEIVING WATER	EFFECTIVE	EXPIRING	
	This cell describes the type of wastewater authorized for discharge. Examples include process or sanitary wastewater, storm water, non-contact cooling water.		This cell lists classified waters of the state to which the listed outfall discharges.	The date this page starts in effect. (e.g. EDP or EDPM)	The date this page is no longer in effect. (e.g. ExDP)	
PARAMETER	MINIMUM		MAXIMUM	UNITS	SAMPLE FREQ.	SAMPLE TYPE
e.g. pH, TRC, Temperature, D.O.	The minimum level that must be maintained at all instants in time.		The maximum level that may not be exceeded at any instant in time.	SU, °F, mg/l, etc.		
PARA-METER	EFFLUENT LIMIT	PRACTICAL QUANTITATION LIMIT (PQL)	ACTION LEVEL	UNITS	SAMPLE FREQUENCY	SAMPLE TYPE
	Limit types are defined below in Note 1. The effluent limit is developed based on the more stringent of technology-based limits, required under the Clean Water Act, or New York State water quality standards. The limit has been derived based on existing assumptions and rules. These assumptions include receiving water hardness, pH and temperature; rates of this and other discharges to the receiving stream; etc. If assumptions or rules change the limit may, after due process and modification of this permit, change.	For the purposes of compliance assessment, the analytical method specified in the permit shall be used to monitor the amount of the pollutant in the outfall to this level, provided that the laboratory analyst has complied with the specified quality assurance/quality control procedures in the relevant method. Monitoring results that are lower than this level must be reported, but shall not be used to determine compliance with the calculated limit. This PQL can be neither lowered nor raised without a modification of this permit.	Action Levels are monitoring requirements , as defined below in Note 2, that trigger additional monitoring and permit review when exceeded.	This can include units of flow, pH, mass, Temperature, concentration. Examples include µg/l, lbs/d, etc.	Examples include Daily, 3/week, weekly, 2/month, monthly, quarterly, 2/yr and yearly.	Examples include grab, 24 hour composite and 3 grab samples collected over a 6 hour period.

Note 1: DAILY DISCHARGE: The discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for the purposes of sampling. For pollutants expressed in units of mass, the 'daily discharge' is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the 'daily discharge' is calculated as the average measurement of the pollutant over the day.

DAILY MAX.: The highest allowable daily discharge. **DAILY MIN.:** The lowest allowable daily discharge.

MONTHLY AVG: The highest allowable average of daily discharges over a calendar month, calculated as the sum of each of the daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

7 DAY ARITHMETIC MEAN (7 day average): The highest allowable average of daily discharges over a calendar week.

30 DAY GEOMETRIC MEAN: The highest allowable geometric mean of daily discharges over a calendar month, calculated as the antilog of: the sum of the log of each of the daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

7 DAY GEOMETRIC MEAN: The highest allowable geometric mean of daily discharges over a calendar week.

RANGE: The minimum and maximum instantaneous measurements for the reporting period must remain between the two values shown.

Note 2: ACTION LEVELS: Routine Action Level monitoring results, if not provided for on the Discharge Monitoring Report (DMR) form, shall be appended to the DMR for the period during which the sampling was conducted. If the additional monitoring requirement is triggered as noted below, the permittee shall undertake a short-term, high-intensity monitoring program for the parameter(s). Samples identical to those required for routine monitoring purposes shall be taken on each of at least three consecutive operating and discharging days and analyzed. Results shall be expressed in terms of both concentration and mass, and shall be submitted no later than the end of the third month following the month when the additional monitoring requirement was triggered. Results may be appended to the DMR or transmitted under separate cover to the same address. If levels higher than the Action Levels are confirmed, the permit may be reopened by the Department for consideration of revised Action Levels or effluent limits. The permittee is not authorized to discharge any of the listed parameters at levels which may cause or contribute to a violation of water quality standards. The additional monitoring requirement is triggered upon receipt by the permittee of any monitoring results in excess of the stated Action Level.

INTERIM PERMIT LIMITS AND MONITORING

OUTFALL No.	LIMITATIONS APPLY:	RECEIVING WATER	EFFECTIVE	EXPIRING
001	[X] All Year Unless Otherwise Noted	Hudson River	12/01/2009	8/31/2012

PARAMETER	EFFLUENT LIMIT					MONITORING REQUIREMENTS				FN
	Type	Limit	Units	Limit	Units	Sample Frequency	Sample Type	Location		
								Inf.	Eff.	
Flow	Monthly average	24.0	mgd			Continuous	Recorder	X		
CBOD ₅	Monthly average	25	mg/l	5000	lbs/d	1/day	24-hr. comp.	X	X	(1)
CBOD ₅	7 day average	40	mg/l	8000	lbs/d	1/day	24-hr. comp.		X	
Solids, Suspended	Monthly average	30	mg/l	6000	lbs/d	1/day	24-hr. comp.	X	X	(1)
Solids, Suspended	7 day average	45	mg/l	9000	lbs/d	1/day	24-hr. comp.		X	
Solids, Settleable	Daily Max.	0.3	ml/l			6/day	grab		X	
pH	Range	6.0 - 9.0	SU			3/day	grab		X	
Nitrogen, TKN (as N) June 1 - October 31	Monthly average	16	mg/l			1/month	24-hr. comp.		X	
Nitrogen, TKN (as N) Nov 1 - May 31	Monthly average	Monitor	mg/l			1/month	24-hr. comp.		X	
Temperature	Daily Maximum	Monitor	Deg_F			3/day	grab		X	
Effluent Disinfection required: [] All Year [X] Seasonal from <u>June 1</u> to <u>September 15</u>										
Coliform, Fecal	30 day geometric mean	200	No./ 100 ml			1/day	grab		X	(2)
Coliform, Fecal	7 day geometric mean	400	No./ 100 ml			1/day	grab		X	(2)

- FOOTNOTES: (1) Effluent shall not exceed 15 % and 15 % of influent concentration values for CBOD₅ & TSS respectively. The permittee is not required to calculate percent removals on days when daily average flow exceeds 24 mgd.
- (2) Effluent disinfection requirements have been suspended as per the August 1, 1989 letter from William Clarke, Regional Permit Administrator, Region 4, of DEC.

FINAL PERMIT LIMITS AND MONITORING

OUTFALL No.	LIMITATIONS APPLY:	RECEIVING WATER	EFFECTIVE	EXPIRING
001	[X] All Year Unless Otherwise Noted	Hudson River	9/01/2012	11/30/2014

PARAMETER	EFFLUENT LIMIT					MONITORING REQUIREMENTS				FN
	Type	Limit	Units	Limit	Units	Sample Frequency	Sample Type	Location		
								Inf.	Eff.	
Flow	Monthly average	24.0	mgd			Continuous	Recorder	X		
CBOD ₅	Monthly average	25	mg/l	5000	lbs/d	1/day	24-hr. comp.	X	X	(1)
CBOD ₅	7 day average	40	mg/l	8000	lbs/d	1/day	24-hr. comp.		X	
Solids, Suspended	Monthly average	30	mg/l	6000	lbs/d	1/day	24-hr. comp.	X	X	(1)
Solids, Suspended	7 day average	45	mg/l	9000	lbs/d	1/day	24-hr. comp.		X	
Solids, Settleable	Daily Max.	0.3	ml/l			6/day	grab		X	
pH	Range	6.0 - 9.0	SU			3/day	grab		X	
Nitrogen, TKN (as N) June 1 - October 31	Monthly average	16	mg/l			1/month	24-hr. comp.		X	
Nitrogen, TKN (as N) Nov 1 - May 31	Monthly average	Monitor	mg/l			1/month	24-hr. comp.		X	
Temperature	Daily Maximum	Monitor	Deg. F			3/day	grab		X	
Effluent Disinfection required: [] All Year [X] Seasonal from <u>May 1</u> to <u>October 31</u>										
Coliform, Fecal	30 day geometric mean	200	No./ 100 ml			1/day	grab		X	
Coliform, Fecal	7 day geometric mean	400	No./ 100 ml			1/day	grab		X	
Chlorine, Total Residual	Daily Max.	0.6	mg/l			6/day	grab		X	(2)

FOOTNOTES: (1) Effluent shall not exceed 15 % and 15 % of influent concentration values for CBOD₅ & TSS respectively. The permittee is not required to calculate percent removals on days when the daily average flow exceeds 24 mgd.
 (2) Monitoring of this parameter is only required if chlorine is used for disinfection.

PERMIT LIMITS, ACTION LEVELS, AND MONITORING

OUTFALL No.	WASTEWATER TYPE	RECEIVING WATER	EFFECTIVE	EXPIRING
001	Municipal	Hudson River	12/01/2009	11/30/2014

PARAMETER	EFFLUENT LIMIT		MONITORING ACTION LEVEL	UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FN
	Daily Avg.	Daily Max.					
Lead, Total		2.5		lbs/d	1/month	24-hr. comp.	
Arsenic, Total			2.8	lbs/d	1/quarter	24-hr. comp.	
Copper, Total			11	lbs/d	1/quarter	24-hr. comp.	
Zinc, Total			23	lbs/d	1/quarter	24-hr. comp.	
Phenolics, Total			6.0	lbs/d	1/quarter	24-hr. comp.	(1)
WET - Acute Invertebrate			24	TUa	1/quarter	See footnote	(2)
WET - Acute Vertebrate			24	TUa	1/quarter	See footnote	(2)
WET - Chronic Invertebrate			92	TUc	1/quarter	See footnote	(2)
WET - Chronic Vertebrate			92	TUc	1/quarter	See footnote	(2)

FOOTNOTES:

(1) Analysis by 4 amino antipyrine (4AAP) Method, composite shall be maintained at 4 ° C during collection and until analysis.

(2) Whole Effluent Toxicity (WET) Testing:

Testing Requirements - WET testing shall consist of **Acute** and, if necessary, **Chronic** testing. WET testing shall be performed in accordance with 40 CFR Part 136 and TOGS 1.3.2 unless prior written approval has been obtained from the Department. The test species shall be *Ceriodaphnia dubia* (water flea - invertebrate) and *Pimephales promelas* (fathead minnow - vertebrate). Receiving water collected upstream from the discharge should be used for dilution. All tests conducted should be static-renewal (two 24 hr composite samples with one renewal for Acute tests and three 24 hr composite samples with two renewals for Chronic tests). The appropriate dilution series bracketing the IWC and including one exposure group of 100% effluent should be used to generate a definitive test endpoint, otherwise an immediate rerun of the test is required. WET testing shall be coordinated with the monitoring of chemical and physical parameters limited by this permit so that the resulting analyses are also representative of the sample used for WET testing. The ratio of critical receiving water flow to discharge flow (i.e. dilution ratio) is **80:1** for acute, and **92:1** for chronic. Discharges which are disinfected using chlorine should be dechlorinated prior to WET testing or samples shall be taken immediately prior to the chlorination system.

Monitoring Period - WET testing shall be performed: **Once each calendar quarter during calendar years ending in 2 and 7**.

Reporting - Toxicity Units shall be calculated and reported on the DMR as follows: $TUa = (100)/(48 \text{ hr LC50})$ or $(100)/(48 \text{ hr EC50})$ (note that Acute data is generated by both Acute and Chronic testing) and $TUc = (100)/(NOEC)$ when Chronic testing has been performed or $TUc = (TUa) \times (20)$ when only Acute testing has been performed and is used to predict Chronic test results, where the 48 hr LC50 or 48 hr EC50 and NOEC are expressed in % effluent. This must be done for both species and using the Most Sensitive Endpoint (MSE) or the lowest NOEC and corresponding highest TUc. Report a TUa of 0.3 if there is no statistically significant toxicity in 100% effluent as compared to control.

PERMIT LIMITS, ACTION LEVELS, AND MONITORING – Footnotes Continued

The complete test report including all corresponding results, statistical analyses, reference toxicity data, daily average flow at the time of sampling and other appropriate supporting documentation, shall be submitted within 60 days following the end of each test period to the Toxicity Testing Unit. A summary page of the test results for the invertebrate and vertebrate species indicating TUa, 48 hr LC50 or 48 hr EC50 for Acute tests and/or TUC, NOEC, IC25, and most sensitive endpoints for Chronic tests, should also be included at the beginning of the test report.

WET Testing Action Level Exceedances - If an action level is exceeded then the Department may require the permittee to conduct additional WET testing including Acute and/or Chronic tests. Additionally, the permittee may be required to perform a Toxicity Reduction Evaluation (TRE) in accordance with Department guidance. If such additional testing or performance of a TRE is necessary, the permittee shall be notified in writing by the Regional Water Engineer. The written notification shall include the reason(s) why such testing or a TRE is required.

BEST MANAGEMENT PRACTICES

The permittee shall implement the following Best Management Practices (BMPs). These BMPs are designed to implement operation & maintenance procedures and utilize the District-owned treatment facilities and interception system to maximize pollutant capture and minimize water quality impacts from combined sewer overflows. The BMPs shall be developed in accordance with Combined Sewer Overflows, Guidance for Nine Minimum Controls, EPA, 1995.

1. System Maintenance/Inspection - The permittee shall develop a written operation, maintenance and inspection program and procedures for all District-owned pump stations, interceptors, and regulators. The purpose of this program is to minimize the occurrence of dry weather overflows related District-owned appurtenances and insure that the maximum amount of wet weather flow is conveyed to the POTW for treatment. This program shall consist of inspections with required repair, cleaning and maintenance performed as necessary. Inspection frequency shall be once per week. The RWE shall be notified of any deviation from the monitoring schedule. More frequent inspections may be necessary where problems are known to frequently occur.

Inspection reports shall indicate: date and time of inspection, general observations, debris removed, any observed flow to the interceptor, prevailing weather conditions on the current day, condition of equipment, and repairs performed or work required. The reports shall be in the format approved by the Region 4 Office and shall be submitted to the Region with the monthly operating report (Form 92-15-7).

2. Maximum Use of Collection System for Storage - Not applicable
3. Industrial Pretreatment - The permittee shall implement a POTW Pretreatment program in accordance with 40 CFR Part 403 and as approved by USEPA on September 20, 1985 and modified on April 18, 1994, and as may be modified in the future to comply with federal requirements.

In accordance with 40 CFR 403.3(f)(2)(i), the permittee shall identify and locate all possible Industrial Users which might be subject to the POTW Pretreatment Program. Likewise, in accordance with 403.8(f)(6), the permittee shall prepare and maintain a list of Industrial Users meeting the criteria in 40 CFR 403.3(v)(1).

New or proposed increased discharges to the POTW shall be evaluated in accordance with the NYSDEC Division of Water Technical and Operational Guidance Series (TOGS) 1.3.8 - New Discharges to POTWs.

4. Maximize Flow to POTW - Not applicable. See BMP #5.
5. Wet Weather Operating Plan - The permittee shall revise and update the existing Wet Weather Operating Plan (WWOP) to contain procedures to operate unit processes to treat maximum wet weather flows while not appreciably diminishing effluent quality or destabilizing treatment upon return to dry weather operation. The revised WWOP shall be developed in accordance with the NYSDEC guidance, Wet Weather Operating Practices for POTWs with Combined Sewers, http://www.dec.ny.gov/docs/water_pdf/wwtechtran.pdf, and transmitted to the Regional Office and the Bureau of Water Permits, 625 Broadway, Albany, NY 12233-3505 for review and approval by June 01, 2010.

The treatment plant shall be capable of receiving and treating: the peak design hydraulic loading rates for all process units; i.e., a minimum of 63.5 MGD through the plant headworks; a minimum of 51 MGD through the primary treatment works and disinfection works if applicable; and a minimum of 51 MGD through the secondary treatment works during wet weather. The interceptors shall be capable of delivering those maximum design flows during wet weather.

The wet weather operating plan shall be revised and resubmitted any time the treatment plant or wet weather operations at the treatment plant are modified.

BEST MANAGEMENT PRACTICES – Continued

6. Prohibition of Dry Weather Overflow – Dry weather overflows are prohibited. Upon the permittee's inspection, the permittee shall promptly abate any impairment in the operation or function of a regulator, and report the abated action within 24 hours to (1) the Regional Water Engineer in accordance with 6NYCRR Part 750-2.7(c); and (2) the tributary community.
7. Control of Floatable and Settleable Solids - Not applicable.
8. Combined Sewer System Replacement - Not applicable.
9. Combined Sewer/Extension - Not applicable.
10. Sewage backups - Not applicable.
11. Septage and Hauled Waste - The discharge or release of septage or hauled waste upstream of a CSO is prohibited.
12. Control of Run-off - Not applicable.
13. Public Notification - Not applicable.
14. Characterization and Monitoring - Not applicable.
15. Annual report - The permittee shall submit a comprehensive annual report summarizing implementation of the best management practices (BMPs) required above. The report shall reference existing documents that demonstrate the permittee's implementation of the required BMPs and shall be prepared using the Department's checklist and Combined Sewer Overflows, Guidance for Nine Minimum Controls, EPA, 1995 as guidance. The permittee must submit a completed copy of this checklist along with the annual report. The referenced documents shall be collectively stored at the POTW and shall be made available to DEC upon request. The report shall include, but not be limited to: a list of all pump stations that the permittee owns and/or operates; flow summaries; actual or estimated, from District-owned pump stations; and a current map of the District-owned interception system showing the locations of pump stations and regulators. The report shall be submitted by January 31st of each year to the Regional Water Engineer and to the Chief, Wastewater Permits, Central Section, 625 Broadway, Albany, NY 12233-3505.

LONG TERM CONTROL PLAN

The six SPDES permittees listed below (collectively known as the Albany Pool communities) have entered into an agreement to cooperatively develop a Phase I Long-Term CSO Control Plan (LTCP), in accordance with the federal CSO Control Policy, and submit it to the Department for review and approval by September 1, 2009 or as may be amended by DEC:

NY 0025747	City of Albany	NY 0031046	City of Cohoes
NY 0033031	Village of Green Island	NY 0030899	City of Watervliet
NY 0099309	City of Troy	NY 0026026	City of Rensselaer

The Cities of Troy and Rensselaer discharge combined sanitary wastewater and storm water to a District-owned interceptor sewer which transports it to the Rensselaer County Sewer District #1's POTW.

In order that the above Albany Pool communities have all the information they need to develop a complete and comprehensive LTCP, the permittee will participate in the development of the LTCP as below. The permittee shall assist its tributary communities with the following elements:

1. Actively participate in the Albany Pool Public Participation Plan;
2. Regularly attend technical meetings related to the Albany Pool communities;
3. Provide all information requested by the Albany Pool communities necessary to evaluate any reasonable alternatives related to the District's facilities, including, but not limited to: expanding the POTW's primary and secondary capacity, increasing the size of the interceptor sewer, and modifying regulator structures.
4. Provide all information to the Albany Pool communities necessary to characterize the District-owned facilities and to develop cost/performance curves for the alternatives evaluated above;
5. Share any additional information necessary to the development of the LTCP with the Albany Pool members communities and their consultants;
6. Participate in the evaluation of all alternatives assessed by the Albany Pool communities, whether related to the District-owned systems or not; and
7. Identify, through formal written correspondence to the Department, within 10 business days of the Albany Pool communities' submission of the LTCP to the Department for approval, any comments on or disagreement the District has with the LTCP.

II. Phase II

Upon the completion of the Phase I LTCP, the Department may propose a modification to this SPDES permit, in accordance with 6NYCRR Part 621, to include the requirement to construct or implement the recommended alternatives in the approved Phase I LTCP, if applicable to the District-owned facilities.

SCHEDULE OF COMPLIANCE

The permittee shall comply with the following schedule.

a) **Disinfection**

Action Code	Outfall Number(s)	Compliance Action	Due Date
	001	<p>The Permittee shall submit an approvable Engineering Report that identifies the facilities necessary to achieve compliance with the water quality based effluent limitation of 0.6 mg/l for total residual chlorine.</p> <p>The Permittee shall submit approvable final plans and specifications, as well as a schedule of construction, for the facilities described in the approved Engineering Report.</p> <p>The Permittee shall commence construction of the facilities described in the approved report, plans and specifications in accordance with the approved schedule of construction.</p> <p>The Permittee shall complete construction of the facilities described in the above report, plans and specifications and startup of those facilities to meet the disinfection requirements on page 4 of this permit.</p> <p>The Permittee shall submit progress reports every 6 months detailing the work done in accordance with the approved plans and specifications and schedule of construction.</p> <p>The schedule of construction contained in the approved report shall, by this reference, be made part of the permit.</p>	<p>8/31/2010</p> <p>DEC Approval of Engineering Report + 6 months</p> <p>DEC Approval of Plans and Specs + 12 months</p> <p>No later than September 1, 2012</p>

The above compliance actions are one time requirements. The permittee shall comply with the above compliance actions to the Department's satisfaction once. When this permit is administratively renewed by NYSDEC letter entitled "SPDES NOTICE/RENEWAL APPLICATION/PERMIT", the permittee is not required to repeat the submission. The above due dates are independent from the effective date of the permit stated in the letter of "SPDES NOTICE/RENEWAL APPLICATION/PERMIT."

- b) The permittee shall submit a written notice of compliance or non-compliance with each of the above schedule dates no later than 14 days following each elapsed date, unless conditions require more immediate notice in accordance with 6NYCRR Part 750-2.7. All such compliance or non-compliance notification shall be sent to the locations listed under the section of this permit entitled RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS. Each notice of non-compliance shall include the following information:
1. A short description of the non-compliance;
 2. A description of any actions taken or proposed by the permittee to comply with the elapsed schedule requirements without further delay and to limit environmental impact associated with the non-compliance;
 3. A description of any factors which tend to explain or mitigate the non-compliance; and
 4. An estimate of the date the permittee will comply with the elapsed schedule requirement and an assessment of the probability that the permittee will meet the next scheduled requirement on time.
- c) The permittee shall submit copies of any document required by the above schedule of compliance to NYSDEC Regional Water Engineer and to the Bureau of Water Permits, 625 Broadway, Albany, N.Y. 12233-3505, unless otherwise specified in this permit or in writing by the Department.

PRETREATMENT PROGRAM IMPLEMENTATION REQUIREMENTS

- A. **DEFINITIONS.** Generally, terms used in this Section shall be defined as in the General Pretreatment Regulations (40 CFR Part 403). Specifically, the following definitions apply to terms used in this Section (PRETREATMENT PROGRAM IMPLEMENTATION REQUIREMENTS):
1. Categorical Industrial User (CIU)- an industrial user of the POTW that is subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N;
 2. Local Limits - General Prohibitions, specific prohibitions and specific limits as set forth in 40 CFR 403.5.
 3. The Publicly Owned Treatment Works (the POTW) - as defined by 40 CFR 403.3(q) and that discharges in accordance with this permit.
 4. Program Submission(s) - requests for approval or modification of the POTW Pretreatment Program submitted in accordance with 40 CFR 403.11 or 403.18 and approved by letter dated September 20, 1985.
 5. Significant Industrial User (SIU) -
 - a. CIUs;
 - b. Except as provided in 40 CFR 403.3(v)(3), any other industrial user that discharges an average of 25,000 gallons per day or more of process wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater) to the POTW;
 - c. Except as provided in 40 CFR 403.3(v)(3), any other industrial user that contributes a process wastestream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant;
 - d. Any other industrial user that the permittee designates as having a reasonable potential for adversely affecting the POTW's operation or for violating a pretreatment standard or requirement.
 6. Substances of Concern - Substances identified by the New York State Department of Environmental Conservation Industrial Chemical Survey as substances of concern.
- B. **IMPLEMENTATION.** The permittee shall implement a POTW Pretreatment Program in accordance 40 CFR Part 403 and as set forth in the permittee's approved Program Submission(s). Modifications to this program shall be made in accordance with 40 CFR 403.18. Specific program requirements are as follows:
1. Industrial Survey. To maintain an updated inventory of industrial dischargers to the POTW the permittee shall:
 - a. Identify, locate and list all industrial users who might be subject to the industrial pretreatment program from the pretreatment program submission and any other necessary, appropriate and available sources. This identification and location list will be updated, at a minimum, every five years. As part of this update the permittee shall collect a current and complete New York State Industrial Chemical Survey form (or equivalent) from each SIU.
 - b. Identify the character and volume of pollutants contributed to the POTW by each industrial user identified in B.1.a above that is classified as a SIU.
 - c. Identify, locate and list, from the pretreatment program submission and any other necessary, appropriate and available sources, all significant industrial users of the POTW.
 2. Control Mechanisms. To provide adequate notice to and control of industrial users of the POTW the permittee shall:
 - a. Inform by certified letter, hand delivery courier, overnight mail, or other means which will provide written acknowledgment of delivery, all industrial users identified in B.1.a. above of applicable pretreatment standards and requirements including the requirement to comply with the local sewer use law, regulation or ordinance and any applicable requirements under section 204(b) and 405 of the Federal Clean Water Act and Subtitles C and D of the Resource Conservation and Recovery Act.

PRETREATMENT PROGRAM IMPLEMENTATION REQUIREMENTS – Continued

- b. Control through permit or similar means the contribution to the POTW by each SIU to ensure compliance with applicable pretreatment standards and requirements. Permits shall contain limitations, sampling frequency and type, reporting and self-monitoring requirements as described below, requirements that limitations and conditions be complied with by established deadlines, an expiration date not later than five years from the date of permit issuance, a statement of applicable civil and criminal penalties and the requirement to comply with Local Limits and any other requirements in accordance with 40 CFR 403.8(f)(1).
3. Monitoring and Inspection. To provide adequate, ongoing characterization of non-domestic users of the POTW, the permittee shall:
- a. Receive and analyze self-monitoring reports and other notices. The permittee shall require all SIUs to submit self-monitoring reports at least every six months unless the permittee collects all such information required for the report, including flow data.
 - b. The permittee shall adequately inspect each SIU at a minimum frequency of once per year.
 - c. The permittee shall collect and analyze samples from each SIU for all priority pollutants that can reasonably be expected to be detectable at levels greater than the levels found in domestic sewage at a minimum frequency of once per year.
 - d. Require, through permits, each SIU to collect at least one 24 hour, flow proportioned composite (where feasible) effluent sample every six months and analyze each of those samples for all priority pollutants that can reasonably be expected to be detectable in that discharge at levels greater than the levels found in domestic sewage. The permittee may perform the aforementioned monitoring in lieu of the SIU except that the permittee must also perform the compliance monitoring described in 3.c.
4. Enforcement. To assure adequate, equitable enforcement of the industrial pretreatment program the permittee shall:
- a. Investigate instances of noncompliance with pretreatment standards and requirements, as indicated in self-monitoring reports and notices or indicated by analysis, inspection and surveillance activities. Sample taking and analysis and the collection of other information shall be performed with sufficient care to produce evidence admissible in enforcement proceedings or in judicial actions. Enforcement activities shall be conducted in accordance with the permittee's Enforcement Response Plan developed and approved in accordance with 40 CFR Part 403.
 - b. Enforce compliance with all national pretreatment standards and requirements in 40 CFR Parts 406 - 471.
 - c. Provide public notification of significant non-compliance as required by 40 CFR 403.8(f)(2)(viii).
 - d. Pursuant to 40 CFR 403.5(e), when either the Department or the USEPA determines any source contributes pollutants to the POTW in violation of Pretreatment Standards or Requirements the Department or the USEPA shall notify the permittee. Failure by the permittee to commence an appropriate investigation and subsequent enforcement action within 30 days of this notification may result in appropriate enforcement action against the source and permittee.
5. Record keeping. The permittee shall maintain and update, as necessary, records identifying the nature, character, and volume of pollutants contributed by SIUs. Records shall be maintained in accordance with 6 NYCRR Part 750-2.5(c).
6. Staffing. The permittee shall maintain minimum staffing positions committed to implementation of the Industrial Pretreatment Program in accordance with the approved pretreatment program.
- C. SLUDGE DISPOSAL PLAN. The permittee shall notify NYSDEC, and USEPA as long as USEPA remains the approval authority, 60 days prior to any major proposed change in the sludge disposal plan. NYSDEC may require additional pretreatment measures or controls to prevent or abate an interference incident relating to sludge use or disposal.

PRETREATMENT PROGRAM IMPLEMENTATION REQUIREMENTS – Continued

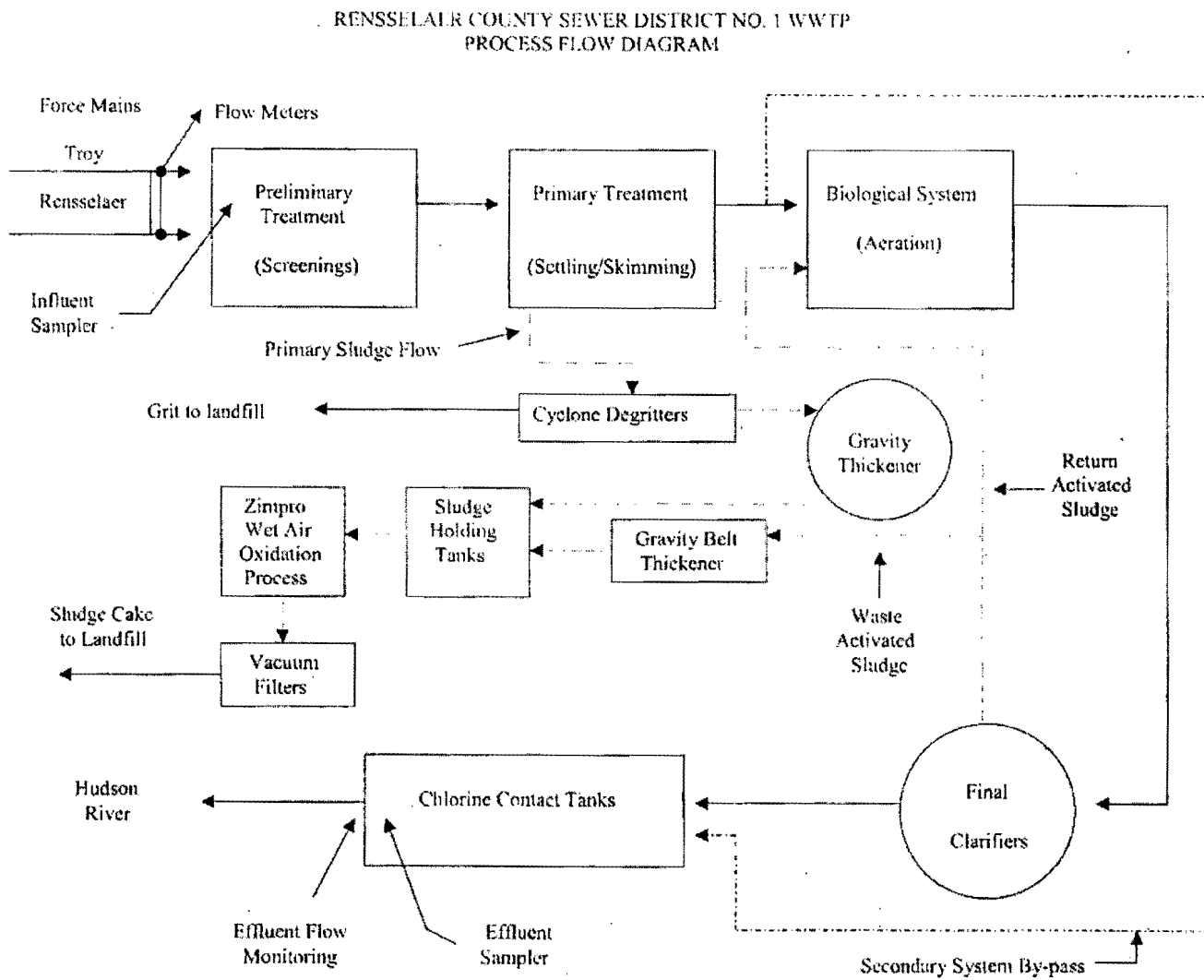
- D. **REPORTING.** The permittee shall provide to the offices listed on the Monitoring, Reporting and Recording page of this permit and to the Chief-Water Permits and Compliance Branch; USEPA Region 2; 290 Broadway; New York, NY 10007; a periodic report that briefly describes the permittee's program activities over the previous year. This report shall be submitted to the above noted offices within 60 days of the end of the reporting period. The reporting period shall be annual, with reporting period(s) ending on September 30th of each year.

The periodic report shall include:

1. **Industrial Survey.** Updated industrial survey information in accordance with 40 CFR 403.12(i)(1) (including any NYS Industrial Chemical Survey forms updated during the reporting period).
2. **Implementation Status.** Status of Program Implementation, to include:
 - a. Any interference, upset or permit violations experienced at the POTW directly attributable to industrial users.
 - b. Listing of significant industrial users issued permits.
 - c. Listing of significant industrial users inspected and/or monitored during the previous reporting period and summary of results.
 - d. Listing of significant industrial users notified of promulgated pretreatment standards or applicable local standards who are on compliance schedules. The listing should include for each facility the final date of compliance.
 - e. Summary of POTW monitoring results not already submitted on Discharge Monitoring Reports and toxic loadings from SIU's organized by parameter.
 - f. A summary of additions or deletions to the list of SIUs, with a brief explanation for each deletion.
3. **Enforcement Status.** Status of enforcement activities to include:
 - a. Listing of significant industrial users in Significant Non-Compliance (as defined by 40 CFR 403.8(f)(2)(viii)) with federal or local pretreatment standards at end of the reporting period.
 - b. Summary of enforcement activities taken against non-complying significant industrial users. The permittee shall provide a copy of the public notice of significant violators as specified in 40 CFR Part 403.8(f)(2)(viii).

MONITORING LOCATIONS

The permittee shall take samples and measurements, to comply with the monitoring requirements specified in this permit, at the location(s) specified below:



DISCHARGE NOTIFICATION REQUIREMENTS

- a) The permittee shall maintain the existing identification signs at all outfalls to surface waters, which have not been waived by the Department in accordance with 17-0815-a of the Environmental Conservation Law. The sign(s) shall be conspicuous, legible and in as close proximity to the point of discharge as is reasonably possible while ensuring the maximum visibility from the surface water and shore. The signs shall be installed in such a manner to pose minimal hazard to navigation, bathing or other water related activities. If the public has access to the water from the land in the vicinity of the outfall, an identical sign shall be posted to be visible from the direction approaching the surface water.

The signs shall have **minimum** dimensions of eighteen inches by twenty four inches (18" x 24") and shall have white letters on a green background and contain the following information:

N.Y.S. PERMITTED DISCHARGE POINT

SPDES PERMIT No.: NY _____

OUTFALL No. : _____

For information about this permitted discharge contact:

Permittee Name: _____

Permittee Contact: _____

Permittee Phone: () - ### - ####

OR:

NYSDEC Division of Water Regional Office Address :

NYSDEC Division of Water Regional Phone: () - ### - ####

- b) For each discharge required to have a sign in accordance with a), the permittee shall provide for public review at a repository accessible to the public, copies of the Discharge Monitoring Reports (DMRs) as required by the **RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS** page of this permit. This repository shall be open to the public, at a minimum, during normal daytime business hours. The repository may be at the business office repository of the permittee or at an off-premises location of its choice (such location shall be the village, town, city or county clerk's office, the local library or other location as approved by the Department). In accordance with the **RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS** page of your permit, each DMR shall be maintained on record for a period of five years.
- c) The permittee shall periodically inspect the outfall identification signs in order to ensure that they are maintained, are still visible and contain information that is current and factually correct.

RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS

- a) The permittee shall also refer to 6 NYCRR Part 750-1.2(a) and 750-2 for additional monitoring and reporting requirements and conditions.
- b) The monitoring information required by this permit shall be summarized, signed and retained for a period of at least five years from the date of the sampling for subsequent inspection by the Department or its designated agent. **Also, monitoring information required by this permit shall be summarized and reported by submitting;**

☒ (if box is checked) completed and signed Discharge Monitoring Report (DMR) forms for each 1 month reporting period to the locations specified below. Blank forms are available at the Department's Albany office listed below. The first reporting period begins on the effective date of this permit and the reports will be due no later than the 28th day of the month following the end of each reporting period.

☐ (if box is checked) an annual report to the Regional Water Engineer at the address specified below. The annual report is due by February 1 and must summarize information for January to December of the previous year in a format acceptable to the Department.

☒ (if box is checked) a monthly "Wastewater Facility Operation Report..." (form 92-15-7) to the:

☒ Regional Water Engineer and/or ☒ County Health Department or Environmental Control Agency specified below

Send the **original** (top sheet) of each DMR page to:

Department of Environmental Conservation
Division of Water
Bureau of Water Compliance Programs
625 Broadway
Albany, New York 12233-3506
Phone: (518) 402-8177

Send the **first copy** (second sheet) of each DMR page to:

Department of Environmental Conservation
Regional Water Engineer, Region 4
1130 North Westcott Road
Schenectady, New York 12306-2014

Phone: (518) 357-2377

Send an **additional copy** of each DMR page to:

Rensselaer County Health Department
1600 Seventh Avenue
Troy, New York 12180

- c) Noncompliance with the provisions of this permit shall be reported to the Department as prescribed in 6 NYCRR Part 750-1.2(a) and 750-2.
- d) Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.
- e) If the permittee monitors any pollutant more frequently than required by the permit, using test procedures approved under 40 CFR Part 136 or as specified in this permit, the results of this monitoring shall be included in the calculations and recording of the data on the Discharge Monitoring Reports.
- f) Calculation for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.
- g) Unless otherwise specified, all information recorded on the Discharge Monitoring Report shall be based upon measurements and sampling carried out during the most recently completed reporting period.
- h) Any laboratory test or sample analysis required by this permit for which the State Commissioner of Health issues certificates of approval pursuant to section five hundred two of the Public Health Law shall be conducted by a laboratory which has been issued a certificate of approval. Inquiries regarding laboratory certification should be sent to the Environmental Laboratory Accreditation Program, New York State Health Department Center for Laboratories and Research, Division of Environmental Sciences, The Nelson A. Rockefeller Empire State Plaza, Albany, New York 12201.